



Crl.R.C.No.1049 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.1049 of 2025

Sartaj

... Petitioner

Vs.

The State, Rep. by Inspector of Police,
Jamunamarathur Police Station, Jamunamarathur,
Tiruvannamalai District.

... Respondent

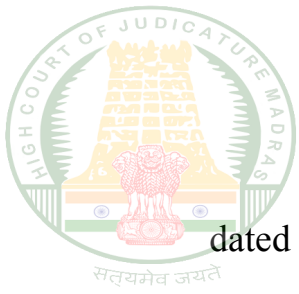
Prayer : Criminal Revision Case filed under Section 438 r/w 442 of B.N.S.S., pleaded to set aside the order dated 17.02.2025 passed by the learned Judicial Magistrate, Polur in Crl.M.P.No.4850 of 2024, by directing the respondent to register the F.I.R.

For Petitioner : Mr.N.Sivaprakash

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Revision Case has been preferred against the order dated 17.02.2025 passed in Crl.M.P.No.4850 of 2024 by the learned Judicial Magistrate, Polur, thereby dismissing the petition filed u/s 156(3) Cr.P.C. seeking a direction to register FIR on the petitioner's complaint



Crl.R.C.No.1049 of 2025

dated 02.08.2023.

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2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner got married to one Azharudin on 12.01.2017. At the time of marriage, the petitioner's parents had presented 20 sovereigns of gold, silver ornaments and other house-hold articles worth about Rs.5,00,000/-. Apart from that, the entire marriage expenses were borne by the parents of the petitioner to the tune of Rs.3,00,000/-. Thereafter, due to misunderstanding, the petitioner was driven out from the matrimonial house and the husband refused to return the gold jewels, silver articles and other house-hold articles, which were presented by the petitioner's parents by demand. Therefore, she lodged a complaint before the respondent, for which, the respondent police issued C.S.R.No.214 of 2023 and did not take any action. Hence, the petitioner was constrained to file a petition u/s 156(3) Cr.P.C. seeking direction to register FIR on the petitioner's complaint on the file of the learned Judicial Magistrate, Polur, however, the learned Magistrate dismissed the same on the ground that all the allegations made by the petitioner are civil in nature. It is seen from



Crl.R.C.No.1049 of 2025

the records that the petitioner has clearly made out cognizable offence against the counter party and as such, the trial court ought not to have dismissed the petition filed by the petitioner.

4. In view of the above, the impugned order dated 17.02.2025 passed by the learned Judicial Magistrate, Polur in Crl.M.P.No.4850 of 2024 is set aside. The respondent police is directed to conduct enquiry on the complaint given by the petitioner and if any *prima facie* case is made out against the counter party, register the F.I.R against the counter party in the manner known to law.

5. With the above directions, this Criminal Revision Case is allowed.

11.07.2025

Index : Yes / No
Speaking order / Non-speaking order
NCC : Yes / No
sp

To

- 1.The Judicial Magistrate, Polur.
- 2.The Public Prosecutor, Madras High Court, Chennai.



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Crl.R.C.No.1049 of 2025

G.K.ILANTHIRAIYAN, J.

sp

Crl.R.C.No.1049 of 2025

11.07.2025